

S/N 08/765,046

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: TABATA et al. Examiner: VANOY, T.  
Serial No.: 08/765,046 Group Art Unit: 1754  
Filed: 15 November 1996 Docket No.: 13875.1USWO  
Title: NITROGEN OXIDE-REDUCING CATALYST AND PROCESS FOR  
REDUCING NITROGEN OXIDES IN EXHAUST GAS

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV077839975US

Date of Deposit: 18 March 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By:

Chris Stordahl

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION

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Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Petitioners, Osaka Gas Company, Limited and EniTecnologie S.p.A., the owners by assignment of the application identified above, through the undersigned attorney of record hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 5,869,013 and 5,985,225 and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 5,869,013 and 5,985,225, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

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In making the above disclaimer, Petitioners do not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent Nos. 5,869,013 and 5,985,225, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

MERCHANT & GOULD P.C.  
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80 South Eighth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 332-5300

March 18, 2002  
Date

  
\_\_\_\_\_  
Douglas P. Mueller  
Reg. No. 30,300  
DPM/rmz



**THE STATEMENT BELOW IS FOR OFFICE USE ONLY**

In accordance with the decision granting the petition filed on \_\_\_\_\_, \_\_\_\_\_,  
this terminal disclaimer is accepted. The period of patent lapse specified above has been  
accepted as equivalent to \_\_\_\_\_ months.

\_\_\_\_\_  
Petitions Examiner

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